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**Patent and Trademark Office**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/316,560	06/24/99	DURANTEN	PHF-99.540V

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TM21/0912

EXAMINER  
BRADON, R

ART UNIT

2185

PAPER NUMBER

8

DATE MAILED:

09/12/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.

09/316,560

Applicant(s)

DURANTON, MARC

Examiner

Reginald G. Bragdon

Art Unit

2185

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 05 July 2001.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

Art Unit: 2185

### **DETAILED ACTION**

1. It is noted that in the clean copy of the claims, the limitation “a first processor for providing successive sets of input data;” is in a different font from the rest of the claim.

Applicant is required to provide a new, clean copy of the claim with all limitations in the same font size.

#### ***Claim Objections***

1. Claims 1- are objected to because of the following informalities:

As per claim 1, line 17, “in” should be --for-- since the memory circuits are not disclosed as generating a read address, but instead the MCU generates a read address for the memory circuits.

All dependent claims are objected to as having the same deficiencies as the claims they depend from.

Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 2185

3. Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Torii et al. (4,734,850).

As per claims 1, 4, and 5, Torii et al. teaches a data processing system including a plurality of execution units (E-units 1 and 6 in figure 1), which represent a "first processor" and a "second processor". A "memory system" is shown in figure 2, including memory banks 47, 48 ("plurality of memory circuits"). A mode indicating circuit 41 ("master controller") provides a signal for repetitively indicating at a constant interval a write mode to banks 47, 48. See column 3, lines 26-43. A read/write control circuit 100 ("control unit") generates a write address from a write control circuit 42 for write data ("selecting a first memory...by the first processor"; see column 4, line 60, to column 5, line 22) and a read address from read control circuit 43 for read data ("selecting a second memory...by the second processor"; see column 6, line 64 to column 7, line 11). Furthermore, Torii et al. teaches writing to one bank 47 simultaneously with reading from the other bank 48, and visa versa. See column 7, lines 46-52.

As per claim 2, Torii et al. teaches a write counter and a read counter for generating addresses. See claim 18, for example, and figures 4 and 5.

As per claim 3, Torii et al. teaches a write request input, WREQ, ("NXT\_W") and a read request input, RREQ, ("NXT\_R"). See column 4, lines 2-13, and column 6, lines 39-41.

### ***Response to Arguments***

4. Applicant's arguments filed 7-5-2001 have been fully considered but they are not persuasive.

Art Unit: 2185

Applicant argues that figure 2 of Torii et al. is directed to a single FIFO memory as shown as elements 20-22 in figure 1 and since the mode indicating circuit 41 only controls one FIFO memory, then it cannot be a “master controller” for setting up the “memory system”. However, Applicant’s claim language is sufficiently broad that “memory system” reads on the parts of a single FIFO (e.g. 22 in figure 1), in particular the plurality of memory banks 47 and 48 (“memory circuits”). There is no limitation in the claim language that requires the “memory system” to include all of the FIFOs shown in figure 1.

### *Conclusion*

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

6. Any response to this final action should be mailed to:

Box AF

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Art Unit: 2185

or faxed to any one of the following numbers:

(703) 308-6743  
(703) 308-5359  
(703) 308-6606  
(703) 305-0040

For formal communications please mark "EXPEDITED PROCEDURE"  
For informal or draft communications, please mark "PROPOSED" or  
"DRAFT"

Hand-delivered responses should be brought to Crystal Park II, 2121  
Crystal Drive, Arlington, VA., Fourth Floor (receptionist).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Reginald G. Bragdon whose telephone number is (703) 305-3823. The examiner can normally be reached on Monday-Thursday from 7:00 AM to 4:30 PM and every other Friday from 7:00 AM to 3:30 PM.

The examiner's supervisor, Matthew Kim, can be reached at (703) 305-3821.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

RGB  
September 10, 2001

*Reginald G. Bragdon*  
Reginald G. Bragdon  
Primary Patent Examiner  
Art Unit 2185